

FIRST CIRCUIT COURT  
STATE OF HAWAII  
FILED

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N. ANAYA

Of Counsel:  
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LAW GROUP

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Attorneys for Plaintiff,  
HIDEKO WATANABE

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

HIDEKO WATANABE,	)	CIVIL NO. <u>18-1-1926-11</u>	JHA
	)	(Other Non-Vehicle Tort)	
Plaintiff,	)		
	)		
vs.	)	COMPLAINT; SUMMONS	
	)		
NORDSTROM., INC.; JOHN DOES	)		
1-20, MARY ROES 1-20, AND DOE	)		
CORPORATIONS AND OTHER	)		
ENTITIES 1-20	)		
	)		
Defendants.	)		

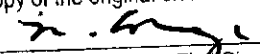
**COMPLAINT**

Plaintiff HIDEKO WATANABE ("Plaintiff"), by and through her attorneys Sakai Iwanaga Sutton Law Group, assert the following Complaint against Defendants:

1. Plaintiff HIDEKO WATANABE is and was at all times relevant a resident of the City and County of Honolulu, State of Hawaii.

EXHIBIT 1

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

  
Clerk, Circuit Court, First Circuit

2. Upon information and belief, Defendant NORDSTROM, INC. is and was at all times relevant a foreign profit corporation doing business in the City and County of Honolulu, State of Hawaii.

3. The incident described herein occurred within the City and County of Honolulu, State of Hawaii.

4. Defendants John Does 1-20, Mary Roes 1-20, and Doe Corporations and other entities 1-20 are sued herein under fictitious names for the reason that the true names and identities are presently unknown to Plaintiff except that they may have been connected in some manner with named Defendant and/or were persons, corporations, entities, agents, representatives, heirs, executors, administrators, estates, businesses, associations, employers, employees, assignees, predecessors-in-interest, successors-in-interest, engaged in some manner presently unknown to Plaintiff and the activities alleged herein and were in some manner responsible for the injuries and damages to Plaintiff. Plaintiff will identify the true names and capacities, activities and/or responsibilities of these Defendants when the same are ascertained. Plaintiff has made a diligent and good faith effort to ascertain the identities of those responsible.

5. On December 4, 2016, while shopping at the Ward Village Shops Nordstrom store in Honolulu, Hawaii, Plaintiff was injured when she slipped on water on the floor of the store and fell.

6. The fall caused Plaintiff to break her right femur and caused serious, extreme, and permanent injuries to her.

**COUNT I  
NEGLIGENCE**

7. The allegations contained in paragraphs 1 through 6 above are incorporated and realleged herein by reference.

8. Defendant had a duty to Plaintiff HIDEKO WATANABE to ensure that its stores were safely and properly built, maintained, operated, inspected, designed, and constructed.

9. Defendant materially breached its duty of care by failing to properly build, maintain, operate, inspect, design, and construct its stores.

10. As a direct and proximate result of Defendant's negligent conduct, Plaintiff HIDEKO WATANABE suffered damages in an amount to be proven at trial.

**COUNT II  
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

11. The allegations contained in paragraphs 1 through 10 above are incorporated and realleged herein by reference.

12. Defendant knew or should have known that serious mental distress was a reasonably foreseeable consequence of allowing the floor of its store to remain wet, that Plaintiff's distress would be a natural reaction to falling on the wet floor, and that Plaintiff would be unable to cope with such mental stress.

13. As a direct and proximate result of Defendant's actions, Defendant has caused the negligent infliction of emotional distress on Plaintiff.

**COUNT III  
RES IPSA LOQUITUR**

14. The allegations contained in paragraphs 1 through 13 above are incorporated and realleged herein by reference.

15. The wet floor on which Plaintiff slipped: (a) ordinarily does not occur in the absence of someone's negligence; (b) was caused by an agency or instrumentality within the exclusive control of Defendant; and (c) was not due to any voluntary action or contribution on the part of Plaintiff.

16. As a direct and proximate result of Defendant's actions, Plaintiff has suffered damages in an amount to be proven at trial.

WHEREFORE, Plaintiff prays for relief against Defendant as follows:

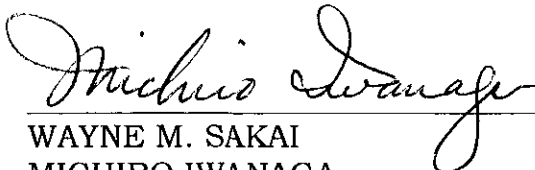
(a) For compensatory, general, special, incidental, consequential, and punitive damages in an amount to be proven at trial;

(b) For prejudgment and post-judgment interest;

(c) For costs of suit and attorney's fees incurred therein;

(d) For other and further relief as this Court deems just and proper.

DATED: Honolulu, Hawaii, NOV 30 2018.

  
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WAYNE M. SAKAI  
MICHIRO IWANAGA  
Attorneys for Plaintiff

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20, MARY ROES 1-20, AND DOE	)	
CORPORATIONS AND OTHER	)	
ENTITIES 1-20	)	
	)	
Defendants.	)	
_____	)	

**SUMMONS**

THE STATE OF HAWAII:

To: NORDSTROM, INC.; JOHN DOES 1-20, MARY ROES 1-20, AND  
DOE CORPORATIONS AND OTHER ENTITIES 1-20:

You are hereby summoned and required to file with the court and serve upon SAKAI IWANAGA SUTTON LAW GROUP, Plaintiff's attorneys, whose address is City Financial Tower, 201 Merchant Street, Suite 2307, Honolulu, Hawaii 96813, an answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

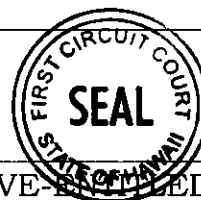
This summons shall not be personally delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the general public,

unless a judge of the above-entitled court permits, in writing on this summons, personal delivery during those hours.

A failure to obey this summons may result in an entry of default and default judgment against the disobeying person or party.

DATED: Honolulu, Hawaii, **NOV 30 2018**

N. ANAYA



CLERK OF THE ABOVE-ENTITLED COURT

AUG 28 2019